

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KEITH RUSSELL JUDD,

Petitioner,

v.

ERIC HOLDER, et al.,

Respondents.

Case No. 10-cv-1483-JCC-JPD

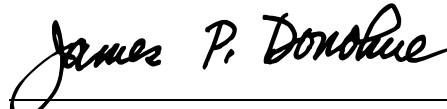
REPORT AND RECOMMENDATION

Petitioner is an inmate at the Federal Correctional Institute in Texarkana, Texas, who is proceeding *pro se* in this proposed habeas action. Specifically, petitioner has filed a proposed petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, Dkt. 1, Att. 1, as well as a “Motion for Court to Certify Actual Innocence Claim Under Savings Clause.” Dkt. 7. Although petitioner filed an initial application to proceed *in forma pauperis* (“IFP”) in this action on September 14, 2010, Dkt. 1, the Clerk has notified petitioner via letter on three separate occasions that his IFP application was deficient because petitioner failed to provide a certified copy of his prison trust account statement showing transactions for the past six months. *See* Dkt. 3; Dkt. 5; Dkt. 11. On each occasion, petitioner was granted an additional

1 month to correct the deficiency. To date, however, petitioner has neither corrected the  
2 deficiency, nor paid the applicable filing fee.

3 Accordingly, the Court recommends that this § 2241 habeas action be DISMISSED  
4 without prejudice for failure to prosecute. A proposed order accompanies this Report and  
5 Recommendation.

6  
7 DATED this 9th day of December, 2010.

8   
9 JAMES P. DONOHUE  
10 United States Magistrate Judge  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26